

EXHIBIT 1

“Order of the Immigration Judge”

U.S. DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
446 ALTA ROAD
SAN DIEGO, CA 92158

In the Matter of:
FAJARDO, JUAN CARLOS HERNANDEZ

Case No.: A90-825-759

IN REMOVAL PROCEEDINGS

RESPONDENT

ORDER OF THE IMMIGRATION JUDGE


Upon the basis of respondent's admissions, I have determined that the respondent is subject to removal on the charge(s) in the Notice to Appear.

Respondent has made no application for relief from removal.

It is HEREBY ORDERED that the respondent be removed from the United States to MEXICO on the charge(s) contained in the Notice to Appear.

If you fail to appear for removal at the time and place ordered by the INS, other than because of exceptional circumstances beyond your control (such as serious illness of the alien or death of an immediate relative of the alien, but not including less compelling circumstances), you will not be eligible for the following forms of relief for a period of ten (10) years after the date you were required to appear for removal:

- (1) Voluntary departure as provided for in section 240B of the Immigration and Nationality Act;
- (2) Cancellation of removal as provided for in section 240A of the Immigration and Nationality Act; and
- (3) Adjustment of status or change of status as provided for in section 245, 248 or 249 of the Immigration and Nationality Act.


ROBERT J. BARRETT
Immigration Judge
Date: Oct 21, 2002

Appeal WAIVED (A/I/B)
Appeal Due By: Nov 20, 2002

CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY: MAIL (M) PERSONAL SERVICE (P)
TO: ☒ ALIEN / ☐ ALIEN c/o Custodial Officer ☐ Alien's ATT/REF ☒ INS
DATE: 10/21/02 BY: COURT STAFF [Signature]
Attachments: ☐ FOIR-23 ☐ EOIR-28 ☒ Legal Services List ☐ Other

EXHIBIT 2

“Certified Copy of the Transcript of
Court Hearing”

Re: People v. Juan Carlos Hernandez Fajardo
Case No. A90-825759

TRANSCRIPT OF COURT HEARING

DATED _____

Court Next is A90, 825759, Juan Carlos Hernandez Fajardo. Is that your true name, sir?

Fajardo Yes it is.

Court You speak English well, don't you?

Fajardo Yes I do.

Court You understand about your right to a lawyer?

Fajardo Yes I do.

Court Do you want to get a lawyer?

Fajardo No I don't.

Court Are you an immigrant?

Fajardo I got my resident alien card.

Court Did you hear what I said to Mr. Mario who is also an immigrant about not going ahead with this case but looking, looking for a lawyer?

Fajardo No, I don't.

Keller He's not interested in getting a lawyer.

Court All right sir, we'll try to finish your case today, Mr. Fajardo. Your notice to appear is gonna be Exhibit A for the record. The officer's right on that sir that you were, first came to the United States in 1978, crossing the border without an inspection. Is that true?

Fajardo Yes it is.

Court The officers further write that you became a lawful permanent resident under Amnesty Section 245A on May 9, 1989. Is that

true?

1 Fajardo

Yes.

2 Court

And further that you were convicted on July 22, 2002 in Superior Court for violating a protective order under section 273.6(a) of the California Penal Code. Is that true?

5 Fajardo

Yes.

6 Court

The officers charged, sir, that you are an alien who has, after his admission to the United States as an immigrant, been convicted of a crime of violence or harassment or bodily injury against a person or persons for whom a protective order was issued. You understand this charge?

11 Fajardo

Yes sir.

12 Court

You think it's true in your case, sir?

13 Fajardo

Yes sir.

14 Court

What sentence did you get for that?

15 Fajardo

I did sixty days county jail.

16 Court

Who was the victim?

17 Fajardo

It's a ex-girlfriend, the one that had my kids with me.

18 Court

So in other words, you've been charged with the ground of deportability of domestic violence. Do you understand what that charge is?

21 Fajardo

Yes sir.

22 Court

You think that charge is true in your case?

23 Fajardo

Yes sir.

24 Court

Now tell me this sir. In what country have you been living since you became an immigrant?

26 Fajardo

In the US.

27 Court

In your defense sir, have you any witnesses, papers or documents to present now or tell me about or have you anything

that you want to say in your defense?

1 Fajardo

No I don't sir.

2 Court

What relatives have you sir, who were ever Americans or immigrants?

4 Fajardo

I have my sister, sh--, my brothers, my dad, cousins, aunts, uncles.

6 Court

Any others?

7 Fajardo

No, that's it. My daughters.

8 Court

Mr. Keller, anything further?

9 Keller

No Your Honor.

10 Court

Now Mr. Fajardo, it seems to me that you are deportable on this domestic violence charge of deport ability, but you could apply for this cancellation of proceedings as a long-time immigrant. I explained all of that to Mr. Mario. You, did you hear that explanation?

15 Fajardo

Yes I did sir.

16 Court

Any questions about that?

17 Fajardo

No sir.

18 Court

Do you want to apply?

19 Fajardo

No I don't.

20 Court

Remember, if you don't apply now, if your chance to apply expires, you can't apply later. Is, do you understand?

22 Fajardo

Yes sir.

23 Court

Do you want to apply?

24 Fajardo

No I don't sir.

25 Court

You're going to accept deportation back to Mexico, is that correct sir?

27 Fajardo

Yes sir.

28 Court

All right sir, thank you very much. Return to your seat please.

[End of hearing]

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PROOFREADER'S CERTIFICATE

Re: People v. Juan Carlos Hernandez Fajardo
Case No. A90-825759

TRANSCRIPT OF COURT HEARING

DATED _____

I, Karen Potter, an employee of PRO TEM LEGAL SERVICES, certify that on April 10, 2008, I proofread all of the transcript of the above-referenced cassette tape, while listening to the tape from which same was transcribed, and that said transcript, as typed, accurately reflects the spoken word, to the best of my ability to hear those recorded words and identify the various persons speaking.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 10th day of April 2008, at San Diego, California

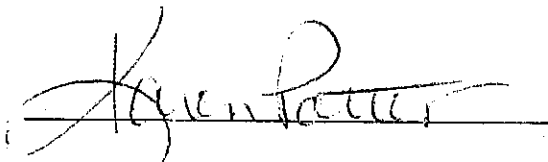
A handwritten signature in dark ink, appearing to read "Karen Potter", is written over a horizontal line.

EXHIBIT 3

“Notice to Appear”

Department of Justice
Immigration and Naturalization Service

Notice to Appear

In removal proceedings under section 240 of the Immigration and Naturalization Act

File No: A 90 825 759

In the Matter of:

Respondent: FAJARDO, JUAN CARLOS HERNANDEZ

currently residing at:

United States Immigration and Naturalization Service

880 Front Street, San Diego, California 92101

(Number, street, city, state and ZIP code)

(Area code and phone number)

- ☐ 1. You are an arriving alien.
- ☐ 2. You are an alien present in the United States who has not been admitted or paroled.
- ☒ 3. You have been admitted to the United States, but are deportable for the reasons states below.

The Service alleges that you:

4. You are not a citizen or national of the United States;
5. You are a native of MEXICO and a citizen of MEXICO ;
6. You entered the United States at or near San Ysidro, California on or about an unknown date in 1978,
7. You were not then admitted or paroled after inspection by an Immigration Officer.
8. You were admitted to the United States at the time you were adjusted to the status of an alien lawfully admitted for permanent residence on May 9, 1989 under section 245A of the Immigration and Nationality Act, as amended.
9. On July 22, 2002 you were convicted in the Superior Court of California, County of San Diego, for the offense of Violation of Protective Order, in violation of Section 273.6(a) of the California Penal Code.

U.S. DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE
IMMIGRATION REVIEW

OCT 15 2002

IMMIGRATION COURT
SAN DIEGO, CA

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

Section 237(a)(2)(E)(ii) of the Immigration and Nationality Act (Act), as amended, in that you are an alien who at any time after entry has been enjoined under a protection order and has been determined to have engaged in conduct in violation of that order that involves protection against credible threats of violence, repeated harassment, or bodily injury to the person or persons for whom the protection order was issued.

- ☐ This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution.
- ☐ Section 235(b)(1) order was vacated pursuant to: ☐ 8 CFR 208.30(f)(2) ☐ 8 CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice *To be calendared and notice provided by the Office of the Immigration Judge. Notice will be mailed to the address provided by the respondent*

(Complete Address of Immigration Court, including Room Number, if any)

on _____ at _____ to show why you should not be removed from the United States based on the charge(s) set forth above.

(Date)

(Time)

Assistant District Director, Investigations
(Signature and Title of Issuing Officer)Date: October 09, 2002

San Diego, California

(City and State)


See reverse for important information

EXHIBIT 4

“Form-I831”

U.S. Department of Justice
Immigration and Naturalization Service

Continuation Page for Form 1213

Alien's Name FAJARDO-HERNANDEZ, Juan Carlos		File Number A090825759 Event No: SND0704000349	Date 04/11/2007
Nationality: UNITED STATES, SAHAGUN, Maria Del Carmen 4922 LUNA DR. OCEANSIDE, CALIFORNIA, 92057,			
RECORDS CHECKED ----- CIS Pos DACS Pos IAFIS Pos NCIC Pos			
Record of Deportable/Excludable Alien: San Diego Sheriff Booking Number: 7726192 San Diego Sheriff Booking Name: FAJARDO, Carlos Hernandez FBI: 707089XA3 CII: CA10995220 FINS: 12374195			
METHOD OF LOCATION/APPREHENSION SUBJECT was released to ICE custody on April 11, 2007 pursuant to an Immigration Detainer lodged at the San Diego County Vista Jail by Deportation Officer J. Robles.			
ALIENAGE AND DEPORTABILITY/INADMISSIBILITY SUBJECT is a male native and citizen of Mexico by virtue of birth in Mexico. Subject claims to have last entered the United States at a point not designated by the Attorney General at or near Nogales, Arizona on or about May 15, 2006, without admission or parole after inspection by an Immigration Officer. SUBJECT freely admits to not having lawful authorization with which to enter, work or reside in the United States of America.			
CRIMINAL HISTORY Subject was arrested by the Oceanside Police Department on April 08, 2007 for the following charges: 1. 273.5(A) PC-INF CORP INJ: SPOUSE/COHAB Disposition: Charges Dismissed			
PRIOR CRIMINAL HISTORY 1. 1995-71. PC-THREATEN SCHOOL/PUBLIC OFFICER/EMPLOYEE-36 MONTH PROBATION 2. 1999-PROBATION REINSTATED 123 DAYS JAIL 3. 02/10/2002-417(A) PC-EXHIBIT DEADLY WEAPON: NOT FIREARM-3 YR. PROB./30 DAYS JAIL 4. 07/22/2002-273.6(A) PC- VIO CRT ORD TO PREVENT DOMESTIC VIO-3 YRS. PROB./30 DS JL			
IMMIGRATION HISTORY Subject was ordered deported on October 21, 2002 and was removed on the November 14, 2005, after serving his sentence at Calipatria State Prison. ...(CONTINUED ON NEXT PAGE)			
Signature  ANTHONY MARTINEZ		Title IMMIGRATION ENFORCEMENT OFFICER	

2 of 3 Pages

EXHIBIT 5

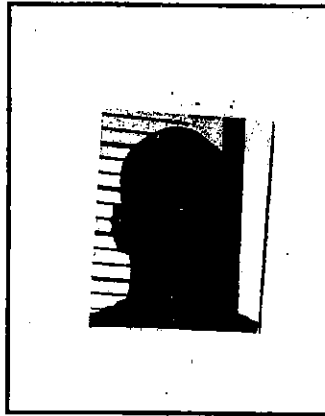
“Removal Verification Form”

To be completed by Service officer executing the warrant:

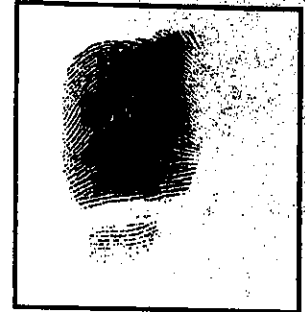
Name of alien being removed:

Fajardo-Hernandez, Juan Carlos, 90 825 759

Port, date, and manner of removal: OTM POE, 10/21/02, AF001



Photograph of alien removed



Right index fingerprint of alien removed

x [Signature]
(Signature of alien being fingerprinted)

V.R. V. Parra DEO #015
(Signature and title of INS official taking print)

Departure witnessed by:

[Signature] L. DURANTE DEO 023
(Signature and title of INS official)

If actual departure is not witnessed, fully identify source or means of verification of departure:

If self-removal (self-deportation), pursuant to 8 CFR 241.7, check here. ☐

Departure Verified by:

(Signature and title of INS official)

EXHIBIT 6

“Reinstatements of October 21, 2002,
Removal Orders”

U.S. Department of Justice

Immigration and Naturalization Service

Notice of Intent/Decision to Reinstate Prior Order

File No. A090 825 759

Event No: SNO704000349

FIN #: 12374195

Date: April 11, 2007

Name: Juan Carlos FAJARDO-HERNANDEZ AKA: FAJARDO, CARLOS HERNANDEZ; CARLOS, JUAN FAJARDO; HERNANDEZ, JUAN CARLOS

In accordance with section 241(a)(5) of the Immigration and Nationality Act (Act) and 8 CFR 241.8, you are hereby notified that the Attorney General intends to reinstate the order of Removal entered against you. This intent is based on the following determinations:

(Deportation / exclusion / removal)

1. You are an alien subject to a prior order of deportation / exclusion / removal entered on October 21, 2002 at San Diego, California

(Date) (Location)

2. You have been identified as an alien who:

☒ was removed on November 14, 2005 pursuant to an order of deportation / exclusion / removal.

(Date)

☐ departed voluntarily on _____ pursuant to an order of deportation / exclusion / removal on or after the date on which such order took effect (i.e., who self-deported).

(Date)

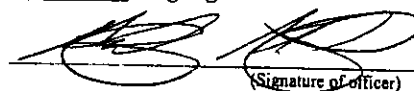
3. You illegally reentered the United States on or about May 15, 2006 at or near Nogales, Arizona

(Date) (Location)

In accordance with Section 241(a)(5) of the Act, you are removable as an alien who has illegally reentered the United States after having been previously removed or departed voluntarily while under an order of exclusion, deportation or removal and are therefore subject to removal by reinstatement of the prior order. You may contest this determination by making a written or oral statement to an immigration officer. You do not have a right to a hearing before an immigration judge.

The facts that formed the basis of this determination, and the existence of a right to make a written or oral statement contesting this determination, were communicated to the alien in the SPANISH language.

ANTHONY MARTINEZ
(Printed or typed name of official)

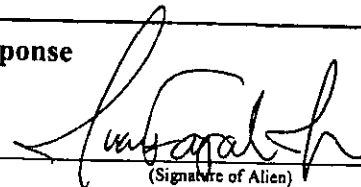

(Signature of officer)

IMMIGRATION ENFORCEMENT OFFICER
(Title of officer)

Acknowledgment and Response

I ☐ do ☒ do not wish to make a statement contesting this determination.

4/11/07
(Date)


(Signature of Alien)

Decision, Order, and Officer's Certification

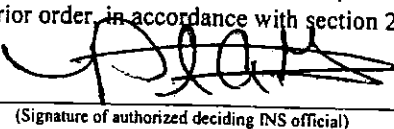
Having reviewed all available evidence, the administrative file and any statements made or submitted in rebuttal, I have determined that the above-named alien is subject to removal through reinstatement of the prior order in accordance with section 241(a)(5) of the Act.

April 11, 2007
(Date)

SAN DIEGO, CALIFORNIA
(Location)

PAUL A. GARCIA

(Printed or typed name of official)


(Signature of authorized deciding INS official)

SUPERVISORY DEPORTATION OFFICER
(Title)

U.S. Department of Justice
Immigration and Naturalization Service

Notice of Intent/Decision to Reinstate Prior Order

File No: A90 825 759

Date: June 2, 2004

Name: Juan Carlos Farjardo-Hernandez

In accordance with Section 241(a)(5) of the Immigration and Nationality Act (Act) and 8 CFR §241.8, you are hereby notified that the Attorney General intends to reinstate the order of Removal entered against you. This is based on the following determinations:

1. You are an alien subject to a previous order of deportation/exclusion/removal entered on October 21, 2002 at San Diego, CA
(Date) (Location)
2. You have been identified as an alien who:
 - ☒ was removed on July 28, 2003 pursuant to an order of deportation /exclusion/removal.
(Date)
 - ☐ departed voluntarily on _____ pursuant to an order deportation/exclusion/removal on or
(Date)
after the date on which such order took effect (i.e., who self-deported).
3. You illegally reentered the United States on or about December 10, 2003 at or near Otay Mesa, CA
(Date) (Location)

In accordance with Section 241(a)(5) of the Act, you are removable as an alien who has illegally reentered the United States after having been previously removed or departed voluntarily while under an order of deportation, exclusion, or removal and are therefore subject to removal by reinstatement of the prior order. You may contest this determination by making a written or oral statement to an immigration officer. You **do not** have a right to a hearing before an immigration judge.

The facts that formed the basis of this determination, and the existence of a right to make a written or oral statement contesting this determination, were communicated to the alien in the English language.

J. Robles

(Printed or typed name of official)

(Signature of Officer)

Deportation Officer

(Title of officer)

Acknowledgment and Response

I ☐ do ☒ do not wish to make a statement contesting the determination.6-2-04
(Date)Juan Carlos Farjardo-Hernandez
(Signature of Alien)

Decision, Order, and Officer's Certification

Having reviewed all available evidence, the administrative file and any statements made or submitted in rebuttal, I have determined that the above-named alien is subject to removal through reinstatement of the prior order in accordance with Section 241 (a)(5) of the Act.

06/03/04
(Date)SND
(Location)

(Signature of authorized deciding INS official)

Nora Antunez

(Printed or typed name of official)

Section Chief/DRO/SND/ICE

(Title)

U. S. Department of Justice
Immigration and Naturalization Service

Notice of Intent/Decision to Reinstate Prior Order

File No. A090 825 759
Case No: SND0411000655
Date: November 28, 2003

Name: Juan Carlos Hernandez FAJARDO

In accordance with section 241(a)(5) of the Immigration and Nationality Act (Act) and 8 CFR241.8, you are hereby notified that the Attorney General intends to reinstate the order of Removal entered against you. This intent is based on the following determinations:

1. You are an alien subject to a prior order of deportation / exclusion / removal entered on October 21, 2002 at San Diego, CA
(Date) (Location)
2. You have been identified as an alien who:
 - ☒ was removed on July 28, 2003 pursuant to an order of deportation / exclusion / removal.
(Date)
 - ☐ departed voluntarily on _____ pursuant to an order of deportation / exclusion / removal on or after the date on which such order took effect (i.e., who self-deported).
(Date)
3. You illegally reentered the United States on or about November 24, 2003 at or near Otay Mesa, California
(Date) (Location)

In accordance with Section 241(a)(5) of the Act, you are removable as an alien who has illegally reentered the United States after having been previously removed or departed voluntarily while under an order of exclusion, deportation or removal and are therefore subject to removal by reinstatement of the prior order. You may contest this determination by making a written or oral statement to an immigration officer. You do not have a right to a hearing before an immigration judge.

The facts that formed the basis of this determination, and the existence of a right to make a written or oral statement contesting this determination, were communicated to the alien in the SPANISH language.

DAVID B. WHITACRE

(Printed or typed name of official)

(Signature of officer)

SPECIAL AGENT

(Title of officer)

Acknowledgment and Response

I ☐ do ☒ do not wish to make a statement contesting this determination.

(Date)

(Signature of Alien)

Decision, Order, and Officer's Certification

Having reviewed all available evidence, the administrative file and any statements made or submitted in rebuttal, I have determined that the above-named alien is subject to removal through reinstatement of the prior order, in accordance with section 241(a)(5) of the Act.

November 28, 2003

(Date)

SAN DIEGO, CA

(Location)

ALMA R. GOSS

(Printed or typed name of official)

(Signature of authorized deciding INS official)

ASSISTANT SPECIAL AGENT IN CHARGE

(Title)

U. S. Department of Justice
Immigration and Naturalization Service

Notice of Intent/Decision to Reinstate Prior Order

File No. A090 825 753
Case No: SMD0305000162
Date: May 6, 2003

Name: Juan Carlos Hernandez FAJARDO AKA: FAJARDO HERNANDEZ, JUAN CARLOS

In accordance with section 241(a)(5) of the Immigration and Nationality Act (Act) and 8 CFR241.8, you are hereby notified that the Attorney General intends to reinstate the order of Removal entered against you. This intent is based on the following determinations:

1. You are an alien subject to a prior order of deportation / exclusion / removal entered on October 21, 2002 at San Diego, CA.
(Date) (Location)
2. You have been identified as an alien who:
 - ☒ was removed on October 21, 2002 pursuant to an order of deportation / exclusion / removal.
(Date)
 - ☐ departed voluntarily on _____ pursuant to an order of deportation / exclusion / removal on or after the date on which such order took effect (i.e., who self-deported).
(Date)
3. You illegally reentered the United States on or about March 1, 2003 at or near Otay Mesa, California.
(Date) (Location)

In accordance with Section 241(a)(5) of the Act, you are removable as an alien who has illegally reentered the United States after having been previously removed or departed voluntarily while under an order of exclusion, deportation or removal and are therefore subject to removal by reinstatement of the prior order. You may contest this determination by making a written or oral statement to an immigration officer. You do not have a right to a hearing before an immigration judge.

The facts that formed the basis of this determination, and the existence of a right to make a written or oral statement contesting this determination, were communicated to the alien in the ENGLISH language.

CHRISTOPHER MITCHELL
(Printed or typed name of official)

[Signature]
(Signature of officer)

IMMIGRATION ENFORCEMENT AGENT
(Title of officer)

Acknowledgment and Response

I ☐ do ☒ do not wish to make a statement contesting this determination.
7/28/03
(Date)

[Signature]
(Signature of Alien)

Decision, Order, and Officer's Certification

Having reviewed all available evidence, the administrative file and any statements made or submitted in rebuttal, I have determined that the above-named alien is subject to removal through reinstatement of the prior order, in accordance with section 241(a)(5) of the Act.

July 28, 2003 SAN DIEGO, CA
(Date) (Location)
WAYNE WILLS
(Printed or typed name of official)

[Signature]
(Signature of authorized deciding INS official)
ASSOCIATE SPECIAL AGENT IN CHARGE
(Title)

EXHIBIT 7

“Form I-851”



Notice of Intent to Issue a Final Administrative Removal Order

In removal proceedings under section 238(b) of the Immigration and Nationality Act

File Number: A90 825 759

To: FAJARDO, Juan Carlos Hernandez AKA: Juan Fajardo

Address: Calipatria State Prison, 7018 Blair Road, Calipatria, California. 92233
(Number, Street, City, State and ZIP Code)

Telephone: (760) 348-7000

(Area Code and Phone Number)

Pursuant to section 238(b) of the Immigration and Nationality Act (Act) as amended, 8 USC 1228(b), the Department of Homeland Security (Department) has determined that you are amenable to expedited administrative removal proceedings. The determination is based upon the following allegations:

1. You are not a citizen or national of the United States.
2. You are a native of Mexico and citizen of Mexico.
3. You entered the United States (at)(near) Nogales, Arizona on or about 9/1/2004.
4. At that time, you entered without inspection.
5. You are not lawfully admitted for permanent residence.
6. You were, on 11/9/2004, convicted in the Superior Court of California, County of San Diego, for the offense of Corporal Injury to Spouse in violation of Section 273.5(a) of the California Penal Code; for that offense the term of imprisonment imposed was 2 years.

Charge:

You are deportable under Section 237(a)(2)(A)(iii) of the Act, 8 USC 1227(a)(2)(A)(iii), as amended, because you have been convicted of an aggravated felony as defined in Section 101(a)(43)(F) of the Act, 8 USC 1101(a)(43)(F).

Based upon section 238(b) of the Act, the Department is serving upon you this NOTICE OF INTENT TO ISSUE A FINAL ADMINISTRATIVE REMOVAL ORDER ("Notice of Intent") without a hearing before an Immigration Judge.

Your Rights and Responsibilities

You may be represented (at no expense to the United States government) by counsel, authorized to practice in this proceeding. If you wish legal advice and cannot afford it, you may contact legal counsel from the list of available free legal services provided to you.

You must respond to the above charges in writing to the Department address provided below within 10 calendar days of service of this notice (or 13 calendar days if service is by mail). The Department must **RECEIVE** your response within that time period.

In your response you may: request, for good cause, an extension of time; rebut the charges stated above (with supporting evidence); request an opportunity to review the government's evidence; admit deportability; designate the country to which you choose to be removed in the event that a final order of removal is issued (which designation the Department will honor only to the extent permitted under section 241 of the Act, 8 U.S.C. 1231); and/or, if you fear persecution in any specific country or countries on account of race, religion, nationality, membership in a particular social group, or political opinion or, if you fear torture in any specific country or countries, you may request withholding of removal under section 241(b)(3) of the Act, 8 U.S.C. 1231(b)(3), or withholding/deferral of removal under the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (Convention Against Torture). A grant of withholding or deferral of removal would prohibit your return to a country or countries where you would be persecuted or tortured, but would not prevent your removal to a safe third country.

You have the right to remain in the United States for 14 calendar days so that you may file for review of this order to the appropriate U.S. Circuit Court of Appeals as provided for in section 242 of the Act, 8 U.S.C. 1252. You may waive your right to remain in the United States for this 14-day period. If you do not file a petition for review within this 14-day period, you will still be allowed to file a petition from outside of the United States so long as that petition is filed with the appropriate U.S. Circuit Court of Appeals within 30 calendar days of the date of your final order of removal.

L. Tanori-Amarillas

SDDO

(Signature and Title of Issuing Officer)

Calipatria, California

(City and State of Issuance)

0700 10/31/05

(Date and Time)

EXHIBIT 8

“Indictment”

11/8/07
Statute re
Comm
John
Fajardo

FILED

07 OCT 31 PM 4:46

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY:

DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

January 2007 Grand Jury **07 CR 2973 H**

UNITED STATES OF AMERICA,)	Criminal Case No. _____
)	
Plaintiff,)	<u>I N D I C T M E N T</u>
)	
v.)	Title 8, U.S.C., Secs. 1326(a)
)	and (b) - Deported Alien Found
JUAN CARLOS FAJARDO-HERNANDEZ,)	in the United States
)	
Defendant.)	

The grand jury charges:

On or about August 7, 2007, within the Southern District of California, defendant JUAN CARLOS FAJARDO-HERNANDEZ, an alien, who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Sections 1326(a) and (b).

//

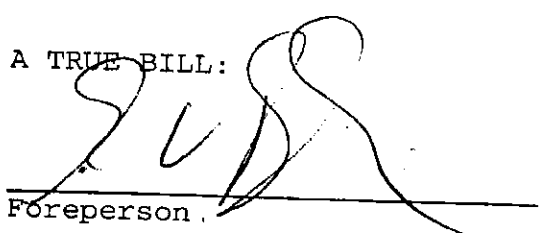
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DDL:fer:San Diego
10/29/07

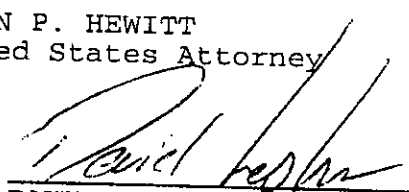
1 It is further alleged that defendant JUAN CARLOS
2 FAJARDO-HERNANDEZ, was removed from the United States subsequent to
3 December 13, 2004.

4 DATED: October 31, 2007.

5 A TRUE BILL:

6
7
8 Foreperson. 

9 KAREN P. HEWITT
United States Attorney

10
11 By: 
12 DAVID D. LESHNER
Assistant U.S. Attorney